

REMARKS

Claims 1-6, 38-42 and 59 are pending. Applicants respectfully request reconsideration of this application in light of the following remarks.

The Examiner indicated that the present application is drawn to three patentably distinct species of chimeric gene comprising a promoter, wherein the promoter is one of claim 4 (Species 1), one of Claim 5 (Species 2), and one of Claim 6 (Species 3).

The Examiner has required Applicants to elect a single species for prosecution on the merits.

Applicants elect without traverse prosecution of Species 1 on the merits in this application. It is respectfully submitted that the following claims correspond to the elected species: claims 1-4, 38-42, and 59.

Applicants respectfully submit that all pending claims are in condition for allowance. Prompt consideration and allowance of the present application are earnestly solicited.

Respectfully submitted,
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